

REMARKS

The office action of May 12, 2009, has been carefully considered.

It is noted that claims 1, 4 and 5 are rejected under 35 U.S.C. 102(e) over the patent to Fulcher et al.

Claims 6 and 9-11 are rejected under 35 U.S.C. 103(a) over Fulcher et al.

In view of the Examiner's rejections of the claims, applicant has canceled claims 1, 4 and 5, amended claim 6, and added new claim 12.

With the cancellation of claims 1, 4 and 5, it is respectfully submitted that the rejection of these claims under 35 U.S.C. 102(e) is overcome and should be withdrawn.

It is respectfully submitted that the claims presently on file differ essentially and in an unobvious, highly advantageous manner from the method disclosed in the reference.

Turning now to the reference, it can be seen that the patent to Fulcher et al. discloses an automated fee collection and parking fee dispensing machine for a plurality of parking places. Fulcher et al. do not teach a method as recited in claims 6 and 12 presently on file.

In the presently claimed invention, an amount of money corresponding to the selected parking time is debited to the chip card (see page 9, second paragraph of the originally filed specification), an identification number inherently provided on the chip card is read off of the chip card (see page 6, second paragraph), and the central control device sets up an individual credit account in a memory disposed in the parking meter (see page 9, second paragraph). The claimed method further includes storing the identification number and the value of the debited amount in the credit account (see page 4, last sentence), comparing the identification number of the anewly inserted chip card with the identification number of the credit account (see page 4, lines 11-15), reducing the value of the credit account in accordance with a clock signal and a table of fees (see page 5, lines 4-7), and displaying the selected parking time and the residual value to be credited back on a display device (page 10, second paragraph

states that the remaining residual parking time is indicated directly by indicating means 7, 8, 9).

Applicant submits that the claims as presently written clearly indicate that the credit account is set up or opened directly in the memory of the parking meter and not at a bank. Also, applicant has written the claims so that they recite displaying instead or indicating.


Furthermore, the present invention does not utilize paper tickets or scanners as are required by Fulcher et al., but rather sets up a credit account within the parking meter which stores information about the residual value and the identification number of the chip card for identification purposes. The user of the parking space only needs his chip card (credit card) for paying, refunding and identifying himself and does not need to receive and retain additional paper tickets. Such a method is not taught or suggested by Fulcher et al.

In view of these considerations it is respectfully submitted that the rejection of claims 6 and 9-11 under 35 U.S.C. 103(a) over the above-discussed reference is overcome and should be withdrawn.

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Reconsideration and allowance of the present application are respectfully requested.

Any additional fees or charges required at this time in connection with this application may be charged to Patent and Trademark Office Deposit Account No. 11-1835.

  
Respectfully submitted,

By 

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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, PO Box 1450 Alexandria, VA 22313-1450, on August 12, 2009.

By: 

Klaus P. Stoffel

Date: August 12, 2009